



CITY COUNCIL STAFF REPORT

MEETING DATE: *November 16, 2005*

**GPA-04-12: COCHRANE – CITY OF MORGAN HILL;
ZA-04-12/SD-05-05/DA-05-11/UP-05-11/SR-05-12:
COCHRANE – DINAPOLI/BROWMAN**

RECOMMENDED ACTION(S):

1. Open/close Public Hearing
2. Adopt Resolution Certifying Final Environmental Impact Report, Making Findings, Adopting a Statement of Overriding Considerations, and Adopting a Mitigation Monitoring and Reporting Program
3. Adopt General Plan Amendment Resolution
4. Waive the First and Second Reading of Zoning Amendment Ordinance
5. Introduce Zoning Amendment Ordinance
6. Adopt Subdivision Resolution
7. Waive the First and Second Reading of Development Agreement Ordinance
8. Introduce Development Agreement Ordinance
9. Adopt Conditional Use Permit Resolution
10. Adopt Architectural and Site Plan Review Resolution
11. Direct City Attorney to return at a future City Council meeting with information regarding placing an initiative on the ballot to remove the grocery store use restriction from the Cochrane Plaza PUD.

EXECUTIVE SUMMARY: The project applicants, Browman Development Company, Inc., J.P. DiNapoli Companies Inc., and the Guglielmo Family, are proposing to construct a 657,250-sf sub-regional commercial shopping center on a 66.49-acre site located at the northeast quadrant of Cochrane Road and Highway 101.

The proposed shopping center would include two large anchor stores, retail shops, restaurants (sit-down and fast food), a 63,200-sf multi-plex cinema with up to 14 screens, and an optional 12-position fuel station. The optional fuel station would incorporate a 1,600-sf convenience market and a 600-sf car wash as a substitution for 6,000 sf of retail space. The proposed anchor stores could consist of the relocation and expansion of the 'Target' store (currently located at the Cochrane Plaza shopping center). Other retail uses anticipated for the shopping center could include a home improvement store, wholesale store or department store.

The proposed project involves a number of entitlement requests: General Plan Amendment, Zoning Amendment, Subdivision, Development Agreement, Use Permit, and Architectural and Site Plan Review. Due to the nature of the project and the number of entitlements requested, the City Council is requested to review and take action on all the applications for the project as one package. The Architectural Review Board reviewed the Architectural and Site Plan Review application on October 6, 2005, and recommended approval of the application with modifications. The Planning Commission reviewed the General Plan Amendment, Zoning Amendment, Subdivision, Development Agreement, Use Permit and EIR on October 11, October 13, October 25 and November 8, 2005. The Planning Commission recommended approval of all the applications and certification of the Final EIR with modifications by the following votes: 7-0 (general plan amendment); 6-0 (zoning amendment); 6-0 (subdivision); 5-1 (development agreement); 4-2 (use permit); 5-2 (EIR).

For the Council's reference, a detailed discussion on each application is provided in Attachments A through G of this report. Copies of the staff reports and meeting minutes for each of the above referenced meetings are also attached.

FISCAL IMPACT: No budget adjustment required.

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Agenda Item # 15

Prepared By:

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Approved By:

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Submitted By:

City Manager